

LOWER PAXTON TOWNSHIP  
BOARD OF SUPERVISORS

Minutes of Board Meeting held November 20, 2007

A business meeting of the Board of Supervisors of Lower Paxton Township was called to order at 7:35 p.m. by Chairman William B. Hawk on the above date in the Lower Paxton Township Municipal Center, 425 Prince Street, Harrisburg, Pennsylvania.

Supervisors present in addition to Mr. Hawk were: William C. Seeds, Sr., William L. Hornung, Gary A. Crissman, and David B. Blain.

Also in attendance were George Wolfe, Township Manager; Steven Stine, Township Solicitor; Lori Wissler, Planning and Zoning Officer; James Snyder, HRG, Inc., Township Engineer; Charles Zwally, Mette, Evans and Woodside.

**Pledge of Allegiance**

Mr. Seeds led in the recitation of the Pledge of Allegiance.

**Approval of Minutes**

Mr. Crissman made a motion to approve the minutes from the October 16, 2007 business meeting and the October 30, 2007 administrative workshop budget meeting. Mr. Blain seconded the motion, and the motion was approved unanimously.

**Public Comment**

Mr. Chris Peters, from the Board of Directors for the Linglestown Baseball Association, explained that in March of 2007 Enders Insurance donated a scoreboard to replace the old scoreboard that was over thirty years old. He noted that it would cost the Association \$3,100 to install the sign. He explained that the organization sponsors five to six fund raisers during the course of the year to maintain the fields as best as they can, and ,as a result, it would be very difficult to come up with the funds to install the sign. He requested financial assistance from the

Township to install the sign for the upcoming season. He noted that Mr. Gary Smith, who is in the audience, has submitted a bid to the Association to install the sign for the beginning of the year. He noted that he brought the specifications with him.

Mr. Seeds questioned if this was the sign for the field with lights. Mr. Peters answered that it was. He explained that the original sign was donated by the Thomas Jones Foundation. He explained that the new sign was ready to be installed, but the Association does not have the necessary funds to install the sign. Mr. Seeds noted that it would not make sense to install the sign this close to winter, and he questioned if Mr. Peters contacted Mr. Luetchford about this matter. Mr. Peters answered that the President of their Association tried to make contact with someone from the Parks and Recreation Department but he did not think anyone was willing to help out with the installation. Mr. Seeds suggested that Mr. Wolfe could have Mr. Luetchford take a look at the project. Mr. Wolfe noted that he would do that. Mr. Seeds suggested that the sign installation could be reviewed by staff to make a recommendation for installation.

Mr. Hornung noted that the Association is asking for a contribution of \$3,100 to install the sign, and suggested that it was a worthwhile cause. He requested to have Mr. Luetchford look at what needs to be done. Mr. Seeds noted that he is always willing to help make the parks look better, but he would like to find the most reasonable way to install the sign by the next baseball season. Mr. Hawk questioned if the new sign needed to be installed by the next baseball season. Mr. Peters answered that it did, and that the sign would be supported by steel H-beams and holes would need to be dug in the ground and it must be secured in concrete and lock beams.

Mr. Crissman noted that this request should be reduced to writing to identify the specific needs and how much funds would be needed. Mr. Peters noted that he could do that. Mr. Wolfe noted that it would be good to direct the request to him. Mr. Blain questioned if this is a scoreboard for a public park, could the Public Works Department install the sign. Mr. Wolfe

noted that he would have to see what the installation requires, but he noted that the Township would own the sign since it is located in one of its parks. Mr. Seeds noted that there is an ordinance or resolution to cover what is permitted in public parks, noting that the sign would fall within the ordinance requirements. He noted that it would be very important to check with Mr. Luetchford on this matter before anything could be done. Mr. Hawk noted that he would follow through on this once a formal request is received.

### **Chairman and Board Member's Comments**

None were presented.

### **Manager's Report**

Mr. Wolfe noted that the website contains the schedule for the Fall Leaf Collection that began in the early part of November, and will continue until the winter weather sets in, or the end of December or beginning of January. Mr. Hornung noted that residents who mix branches with their leaves cause the leaf shoot to become clogged, therefore, doubling the time and efforts of the Public Works personnel. He requested that only leaves be placed along the curb for pick up.

Mr. Wolfe noted that residents looking to participate in a more comprehensive Yard Waste program may contact the Township for information for the annual costs. He noted that this is a bi-weekly service offered by the Township that would afford the disposal of all yard waste except for grass clippings that are disposed with the regular trash.

Mr. Wolfe noted that the Township is accepting applications for appointments to the various boards, committees or commissions that are staffed by volunteers. He noted that it could include the Planning Commission, Parks and Recreation Board, Friendship Center Operating Board, Zoning Hearing Board, Shade Tree Commission, Public Safety Committee, Arts Council and Recycling Committee. He noted that the appointment application can be found on the web site, and that appointments to these committees will be considered in January 2008.

Mr. Wolfe noted that the Red Top Road Bridge has been under construction since August, but it should be completed in the near future. He noted that this project is sponsored by Dauphin County. Mr. Blain noted that the construction is complete, and the workers hope to have the bridge open by the end of the week.

### **OLD BUSINESS**

#### Ordinance 07-01; amending the Lower Paxton Township Zoning Ordinance (corrective amendment modifying the new ordinance adopted in 2006)

Mr. Hawk noted that Ordinance 07-01 amends the Lower Paxton Township Zoning Ordinance that was adopted in the year 2006. Ms. Wissler explained that these amendments were initiated by staff after implementation of the July 2006 Zoning Ordinance. She noted that it was reviewed by the Township Planning Commission at their June 2007 meeting. She explained that Dauphin County Planning Commission provided comments to the Planning Commission at that time, and the Planning Commission tabled action until staff had time to review Dauphin County's comments. Ms. Wissler explained that staff reviewed the Dauphin County comments and provided those comments to the Planning Commission and Board of Supervisors at a joint meeting. She noted that four additional items were further discussed by the Planning Commission. She noted that creek setbacks were changed to 50 feet and 75 feet from the top of the bank; previously the setbacks were 75 feet and 100 feet. In addition, a single-family detached dwelling was changed to a Special Exception for the Commercial-Neighborhood District, and sidewalks slopes were changed to be consistent with American Disability Act (ADA) requirements or 5% grade, whichever is less, in an age-restricted development and residential-retirement development. She noted that the fourth issue was for age-restricted percentages, and no changes were made to this as it was to remain as it was originally presented with the 60% and 70% option.

Ms. Wissler noted that the Ordinance was reviewed on October 1, 2007, by the Dauphin County Planning Commission, noting that they supported the changes with the exception of the four comments addressed in their letter dated October 1, 2007. She noted that the Lower Paxton Township Planning Commission approved the Ordinance at their October 10, 2007 meeting. The notices for the public meeting to be held on November 20, 2007 appeared in The Patriot-News on November 5, 2007, and November 12, 2007. Ms. Wissler noted that an attested copy of Ordinance 07-01 was sent to the Dauphin County Law Library on October 25, 2007.

Mr. Seeds noted that he had problems with the amendments for section 315 D and 319.H. He explained that it states that the sidewalk should be consistent with the ADA requirement or 5%, whichever is less. He noted that he did not recall discussing this issue in the workshop session with the Planning Commission. He questioned how an inspector checking a site would know that it must be under a 5% slope, or would they use the ADA requirements. He noted that the Township building inspectors know the Building Code but do not know the ordinances. He questioned if the 5% requirement would present an enforcement problem for the building inspectors. Ms. Wissler noted that there was some discussion on this matter, and staff researched the issue and that is how they came up with the requirements. She noted that Mr. Miller typically does sidewalk inspections and he has been a part of the review process, however, she stated that she would communicate the requirements with the building inspectors. Mr. Seeds noted that ADA requires an inch of rise for a foot of slope. He noted that he did not know how to calculate the 5% and wanted to make sure this would not create an enforcement problem.

Mr. Seeds noted that he was opposed to the age-restricted percentages.

Mr. Stine noted that this was the time and date set for the public hearing on Ordinance 07-01, to amend the Lower Paxton Township Zoning Ordinance. He questioned if anyone wished to be heard on this ordinance. Mr. Stine noted that seeing no response, it would be in

order to close the public hearing on Ordinance 2007-01, and the Board may take action if it so desires.

Mr. Crissman made a motion to approve Ordinance 2007-01, amending the 2006 Lower Paxton Township Zoning Ordinance by making the modifications to the following sections:

### **Part 1. Administration**

Section 102.C.9 is hereby deleted (the remaining numbered items are renumbered accordingly).

### **Part 2. Definitions**

Section 201.F. is amended to change the reference from “Section 1107 of the Codified Ordinances of Lower Paxton Township” to "Section 1107, Definitions, of the Subdivision and Land Development Ordinance."

Section 202:

- The definition of Essential Services is amended by adding “streets” after “sewage lines.”
- The definition of Related is amended by adding “first cousin” after “nephew.”
- The definition of Wetlands is amended by adding the following: (Note: Wetlands are generally delineated by a specialist based upon an on-site investigation of vegetation, soils and hydrologic conditions. Hydric soils, as mapped by the U.S. Natural Resource Conservation Service, provide an initial indicator of whether wetlands may be present.).
- Add the following new definition: Creek or Waterway, Perennial. A stream that has water flow during the majority of the year and is mapped as a perennial stream or perennial watercourse on U.S. Geological Survey mapping.
- The definition of Yard and Yard, Front are amended by adding the following: If the Township requires the delineation of a "future or ultimate" right-of-way along a public street or highway, then the minimum yards shall be measured from such future or ultimate right-of-way line, as opposed to the existing right-of-way line.

### **Part 3. Districts**

Section 301.D.1 is amended by replacing the first sentence of the purposes of the CO, Conservation District, with the following: To conserve important natural features, such as wetlands, creeks, flood-prone lands, springs and steeply sloped areas.

Section 306.B.1.e Day Care is amended by adding the following: See definitions for each term in Section 202 under Day Care, Adult and Day Care, Child.

Section 306.B.1.e Group Day Care is amended by adding “(care for 7 to 12 persons).”

Section 306.B.1.e Family Day Care is amended by adding “(care for 4 to 6 persons).”

Section 306.B.2.a CN, Commercial Neighborhood District is amended to change Single Family Detached Dwelling to a Special Exception.

Section 306.B.2.b Bus Stop for Inter-City Bus Service is amended to change this use to a permitted by-right use in the Commercial Neighborhood District.

Section 306.B.2.f. Day Care is amended by adding the following: See definitions for each term in Section 202 under Day Care, Adult and Day Care, Child.

Section 306.B.2.f Group Day Care is amended by adding “(care for 7 to 12 persons).”

Section 306.B.2.f Family Day Care is amended by adding “(care for 4 to 6 persons).”

Section 307.A. BC, Business Campus District is amended in the column under "minimum rear yard" by changing the words “side yard” to “rear yard.”

Section 308.B regarding wetlands is amended by adding: The Township may require that the qualifications and any certifications of the person conducting the wetland delineation be provided in writing to the Township. The Township may require that a statement be provided on the plan that is signed by the wetlands delineator stating that the wetlands are accurately shown according to a standard government wetlands manual or that wetlands are not present.

Section 310.B Regrading is amended by revising the first sentence to the following: Non-man-made slopes of 15 percent or more shall not be disturbed (re-graded) prior to the submission of a zoning site plan, or subdivision or land development plan.

Section 310.D Single Family Dwellings and Steep Slopes is amended by replacing the text with: New single family detached dwellings are permitted on slopes that are no greater than 25%.

Section 310.E Steep Slopes and Other Uses is amended as follows: A lot shall only be used for a building for principal uses other than single family detached dwellings if the proposed “building area” includes an average slope of less than 20 percent.

1. For such uses, the “building area” shall include locations of all proposed principal buildings and parking areas that serve such buildings and an area 20 feet around such buildings and related parking areas.

Section 310.F Changes to Building Area's deleted.

Section 310.G.2 is amended by removing “other attractive natural vegetation.”

Section 312.A. Setbacks is amended as follows: No new building (except an accessory storage shed with a floor area of 150 square feet or less), new or expanded vehicle parking, or business outdoor storage shall be located within 50 feet from the top of the bank of a perennial creek. This minimum setback shall be increased to 75 feet from the top of the bank of a perennial creek within the AR and CO zoning districts. A perennial creek shall be defined as a waterway shown as a perennial creek on the U.S. Geological Survey quadrangle maps.

Section 314.G.9 is amended by revising the wording to the following: a. As an option to the applicant, the applicant may apply for conditional use approval from the Board of Supervisors to approve the following increases in the maximum density provided in Subsection "8." above. In such case, only the increase in density shall need conditional use approval.

Section 315.D is amended by rewording the text to the following: This density bonus shall only be approved if the development includes an appropriate system of sidewalks or pathways. At least one looped portion of a pathway system shall have slopes and a surface that are intended for use by older persons, with slopes consistent with the Americans with Disabilities Act (ADA) or no more than five percent (5%), whichever is less.

Section 318.C.2.a.(3).(a) is amended after "or building addition" by adding "or change in use."

Section 319.E.8 is amended by adding the following as a permitted by-right use: 8. Meeting and recreation center that primarily serves residents of the development and their guests, and which may include a temporary sales office while the development is under construction and management offices for the development after construction is completed.

Section 319.G.5 is amended by adding the following: However, if the RRD is within the IN District, then the maximum building height may be increased to 60 feet, provided the building is not closer to a lot line or street right-of-way than the building is tall, unless the abutting lot is in common ownership.

Section 319.G.16 is amended to reword the last sentence to the following: At least one looped portion of a pathway system shall have slopes and a surface that are intended for use by older persons, with slopes consistent with the Americans with Disabilities Act (ADA) or no more than five percent (5%), whichever is less.

(new) Section 319.H. Combination of Age-Restricted and Non-Age-Restricted Developments.

1. Within the IN District two adjacent residential developments may be submitted for approval of their zoning densities in one application, provided the two adjacent developments are in common ownership at the time of such zoning density determination by the Township and a concept plan is submitted to the Township showing how the street access and open space of the two developments will be coordinated. Such developments may subsequently be developed by independent entities, provided there is compliance with the overall density determination under this Section and any conditions placed upon such determination by the Township.
2. One of the two developments shall meet all of the requirements of this Section 319, including being age-restricted. The second development shall meet the requirements of this Section 319, except that the second development shall not be required to be age-restricted. If approved under this Section 319.H, then the maximum density of the two adjacent developments may be calculated as an average for the two developments as if they were a single development. At that time, a maximum density shall be assigned to each of the two developments, provided the requirements of this Ordinance are met.
3. Section 319.H shall only be allowed to be used if a minimum of 60 percent of the dwelling units in the two developments together would meet the age restriction requirements of Section 319.G.2., including a restriction on occupancy by at least one person age 55 or older. In such case, the

maximum average density of the two developments, when calculated together, shall not exceed 6 dwelling units per acre.

a. An applicant may choose a second option of having a minimum of 70 percent of the dwelling units in the two developments together meeting the age restriction requirements of Section 319.G.2., including a restriction on occupancy by at least one person age 55 or older. In such case, the maximum average density of the two developments, when calculated together, shall not exceed 8 dwelling units per acre.

4. For dwellings that are not age-restricted, the parking requirements of Section 601 shall apply, instead of the parking standards for Section 319.

Section 320.E.4. Permitted Lot Reductions. is amended by replacing the text with the following:

a. For a Cluster Development in any zoning district both public sewage service and central water service shall be provided.

b. For a Cluster Development in any zoning district the minimum yard requirements of the R-2 district shall apply, unless otherwise specified.

c. For a Cluster Development where the replaced district was the AR or CO District, the minimum lot area shall be reduced to 20,000 square feet and the minimum lot width shall be reduced to 90 feet, with minimum yard requirements meeting the R-1 district. However, if a tract includes more than 100 acres and the dwellings will be served by public sewer and water, then the minimum lot area may be reduced to 7,500 square feet for single family detached dwellings with a minimum lot width of 60 feet.

d. For a Cluster Development where the replaced zone was NOT the AR or CO District, for single family detached dwellings, a reduction in minimum lot area to 10,000 square feet shall be allowed with a minimum lot width of 75 feet. If a Cluster Development includes a tract of more than 100 total acres, then such minimum lot area may be reduced to 7,500 square feet with a minimum lot width of 60 feet. For all other types of allowed housing, up to 20 percent reduction is allowed from the minimum amount of land area required per dwelling unit.

e. No specific minimum lot area shall apply for townhouses, provided the overall density requirement is met for the tract. Individual dwellings may be held in a condominium arrangement.

Section 320.K.7.c Open Space Requirement is amended as follows: Empower the Township to enforce the covenants in the event of failure of compliance.

#### **Part 4. Specific Uses**

Section 402.A.51.(a) is amended to increase the maximum length for a grouping of townhouses from 160 to "200 feet."

Section 402.A.4 is amended by adding the following: d. See also State Airport Zoning Regulations, which generally address tall structures within the major approaches to an airport.

Section 403.D.3 is amended by adding the following: j. The applicant shall provide evidence that the local public transit provider has approved the location of the proposed bus shelter.

Section 403.D.9.g is amended to change “one day before the sale” to “three days before the sale.”

## **Part 5. Environmental Protection**

Section 504.B.15 is amended to delete the definition of “Flood.”

Section 504.B.21 is amended to change “nitrogen” to “dangerous nitrogen compounds.”

Section 504.D.1.c.(2) is amended by adding the following: The AE floodplain zone shall be the base flood hazard area shown on the Federal Floodplain Maps where base floodplain elevations are provided.

## **Part 6. Parking**

Section 601. Table 6.1:

- Part A.1 is amended to delete “If a vehicle must be moved from one space in order to access the second space, then an additional parking space shall be available for each dwelling unit, such as an on-street space in front of the dwelling or an overflow parking lot.”
- Part B.6 is amended by adding the following in the middle column: “, or 1 space for every 6 seats in the largest capacity room in the school, whichever is more restrictive.”
- Part C.24 is amended to change the middle column to “3 per veterinarian.”
- Part E. Industrial Uses is amended to renumber this paragraph to “Part D.”

Section 602.C.1 is amended by adding the following: This provision may be used in combination with subsection “2.” below, as applicable.

Section 603.A. is amended to change “two-family dwelling” to “two-family, twin, or townhouse dwelling.”

## **Part 7. Signs**

Section 704.A.5 Changing Message is deleted.

Section 704.A.34 is amended by adding the following: A Construction/Contractor Sign shall have a maximum sign area of 16 square feet. If one sign lists multiple contractors, then 16 square feet of sign area shall be allowed per contractor.

Section 706.C.1 and Section 706.D.1 are amended to the following: The maximum area for signs shall be governed by the tables provided in Section 714.

Section 707.C.7 is deleted.

Section 705.D.12 is amended to delete “Rotating message panels shall be prohibited.”

Section 709.J add the following: “This shall not regulate routine types of seasonal lighting during November through January, provided the lighting does not resemble traffic control devices.”

## **Part 8. General Regulations, Buffering and Landscaping**

Section 803.C is amended by adding the following: 3. Where grading along a street is necessary to provide safe sight distances, such grading shall not be prohibited by other provisions of Township ordinances. Such grading should result in finished slopes that are as close to the natural grades as is feasible.

Section 803.D. Buffer Yards is amended to the following: Plans for buffer yards and plant screening shall be reviewed and approved by the Shade Tree Commission. Buffer yards and plant screening, complying with the following standards, shall be required under the following situations, unless a more restrictive provision is established by another section of this Ordinance. The Shade Tree Commission, as it deems necessary, may permit modification of the following standards to address specific site constraints or landscaping needs:

Section 803.D.6.e is amended to the following: American Arborvitae and similar weak-stem plants shall not be used to meet the buffer yard requirements. A monotonous straight row of the same species is discouraged. A more naturalistic form of planting is encouraged with a mix of species. If more than 20 evergreen plants are proposed, no more than 50 percent shall be of one species.

Section 803.D.6.g is amended to the following: The Board of Supervisors, upon recommendation of the Shade Tree Commission, may approve alternate buffer designs and locations that serve the same purpose, particularly when necessary because of unique site conditions.

Section 803.D.1 is amended by adding the following: However, the minimum buffer width shall be 4 feet within the Village and TND Districts, and the buffer yard may be waived by the Township as part of a Traditional Neighborhood Development approval if: a) the business use is built before the adjacent residential use is sold and b) the applicant proves compatibility as part of the Master Plan review by the Township.

Section 804.D.2 is amended by adding the following: If a parking area includes more than 50 off-street parking spaces, then a minimum of 5 percent of the interior of the parking area shall be landscaped.

Section 804.D.3.e is added as follows: A minimum vegetative area shall be provided that includes at least a 4 feet minimum radius around all sides of the trunk of each required deciduous tree within or adjacent to a parking lot.

Section 804.D Parking Lot Landscaping. is deleted (renumbered as Section 804.D.3.e.).

Section 806. DUMPSTER SCREENING AND LOCATION is amended by replacing the text with the following:

Section 806.A Any newly placed solid waste dumpster shall be screened on at least 3 of 4 sides as necessary to screen views from public streets and dwellings.

Section 806.B Such screening shall consist of decorative masonry walls, primarily solid weather-resistant wood fencing, or fencing of a similar appearance (such as solid vinyl post).

Section 806.C. Setback from Dwellings An outdoor solid waste container (other than for paper or cardboard) shall be kept a minimum of 20 feet from the lot line of a dwelling on an abutting lot.

Section 806.D If a solid waste dumpster is moved from one part of a lot to another part of a lot, then it shall come into compliance with this Section 806.

Section 806.E This section shall not apply to dumpsters temporarily placed during actual construction or demolition on the premises for twelve (12) months or less.

Section 806.F If a building includes four or more dwelling units and a dumpster is provided, then there shall be provided at least one solid waste dumpster with a lid, which shall be emptied on a regular basis. The number of dumpsters, capacity of the dumpster(s), and the frequency that the dumpster(s) is emptied shall be sufficient to ensure that all solid waste deposited by building occupants can be stored within the dumpsters without said materials being placed on or allowed to accumulate on the ground.

Mr. Blain seconded the motion.

Mr. Seeds noted that he had a problem in regards to the age-restricted percentages as they related to the number of units with the 60% at six units, 70% for eight units, and 80% for 12 units. He noted that this ordinance would allow a developer to take an adjoining property, include those total acres, and add the acres of the residential-retirement area to together to come up with a percentage of the amount of people over age 55. He noted that for today's standards, the age 55 is not very old. He noted that allowing 60% is not a true residential-retirement area. He suggested that the more acreage a developer has, the more units would be permitted if other parcels were added. He noted that the Dauphin County Planning Commission had concerns that this could occur, and that the Township should limit the minimum and maximum sizes of the lots since someone could take the numbers associated with the adjoining acreage, and provide for a very high density building with a mixture of retired or senior citizens and end up with high-rise apartment house. He noted that he was against the 60-foot height requirement and would prefer the 45-foot height requirement.

Mr. Hawk noted that the Dauphin County Commission, in their letter dated October 1, 2007, suggested that the Township may want to consider modifying the proposed regulations at sometime in

the future. Mr. Seeds strongly stated that the residential-retirement percentage should be an 80% requirement. Mr. Hawk noted that the Board could revisit these issues at a future workshop session.

Mr. Hawk called for a roll call vote: Mr. Blain, aye; Mr. Crissman, aye; Mr. Hornung, aye; Mr. Seeds, nay; and Mr. Hawk, aye.

Mr. Hornung noted that it was necessary to move forward with the amendments, but he stated that he agreed with Mr. Seeds and the Dauphin County Planning Commission comments, and requested Mr. Wolfe to put this on a future workshop agenda.

Resolution 07-50; authorizing the acquisition of right-of-way from Frank, Laura, and Kim Whitcomb from property identified as 122 North Nyes Road

Mr. Wolfe noted that there is a need to acquire a small sliver of right-of-way from the property that abuts the Thomas B. George, Jr. Park, known as the cell tower property. He noted that the property is owned by Frank, Laura and Kim Whitcomb and the purchase of this right-of-way is necessary for roadway improvements that will be required for the driveway into George Park as it connects with Nyes Road. He noted that the Resolution is complete for Board action.

Mr. Seeds questioned if the amount that is being offered to the Whitcomb's is less than what was originally requested by the owner. Mr. Wolfe noted that the offer amounts to \$1.50 per square foot, and this has been agreed upon by the property owner. .

Mr. Crissman made a motion to approve Resolution 2007-50; authorizing the acquisition of right-of-way from Frank, Laura, and Kim Whitcomb from property identified as 122 North Nyes Road. Mr. Blain seconded the motion. Mr. Hawk called for a roll call vote: Mr. Blain, aye; Mr. Crissman, aye; Mr. Hornung, aye; Mr. Seeds, aye; and Mr. Hawk, aye.

## NEW BUSINESS

### Ordinance 07-14; Amending the zoning designation of land commonly known as Sportsmen's Golf Course, changing existing Institutional, Agricultural-Residential, and Conservation Districts to only Institutional and Conservation Districts

Ms. Wissler explained that the Township is proposing an amendment to the Township Zoning Map for three properties located north of Linglestown Road, the larger being the Sportsman's Golf Course and two properties to the north. She noted that the three properties are currently zoned Conservation, Agricultural-Residential, and Institutional Districts. She noted that the amendment would rezone the three properties to Conservation District further to the south, the Institutional District further to the north, and eliminating the Agricultural-Residential District.

Ms. Wissler noted that the Planning Commission reviewed the amendment at their October 10, 2007 meeting and recommended the approval of the amendment. Ms. Wissler noted that the surrounding zoning is as follows: to the north, Conservation District; south, Commercial Neighborhood District; Agricultural Residential District (Blue Ridge Country Club); and to the east, it is zoned Low Density Residential District.

Ms. Wissler noted that the 2004 Comprehensive Plan's Future Land Use Map showed the area to be Rural Residential, and the existing use of the properties are the Sportsman's Golf Course and two vacant parcels to the north of the golf course.

Ms. Wissler explained that the Dauphin County Planning Commission reviewed the matter on October 1, 2007, and recommend approval of the proposed amendment. On November 5, 2007 and November 12, 2007, a public notice appeared in The Patriot -News indicating that the Board would conduct a public hearing at this meeting. On October 15, 2007, the Township mailed notices to property owners surrounding the area of the proposed rezoning, and on November 12, 2007, notices were posted on the parcels being considered for rezoning.

Mr. Stine explained that this is the time and date set for a public hearing on Ordinance 2007-14, to amend the zoning designation of the Sportsman's Golf Course. He questioned if anyone in the audience wished to be heard on this Ordinance.

Mr. Charles Zwally, Mette Evans and Woodside, noted that he has spoken on this subject many times to the Board members, especially at the joint workshop meetings with the Planning Commission. He requested that the Township approve the zoning change described by Ms. Wissler.

Mr. Zwally noted that his intent is to eliminate a strip of Agricultural-Residential zoning, move the Conservation District line to the south of the property and move the Institutional Zone line north to join the Conservation District. He noted that the proposal for this land is in the very early planning stages and would include both single-family residential and retirement-residential development. He noted that the request to expand the Conservation District came about as a result of a detailed topological study that showed the accurate detail for the land. He noted that the study indicates that much of the area in the Agricultural-Residential zone was relatively flat and could accommodate the expansion of the Institutional Zone, and the areas north of the Agricultural-Residential were steep in slope and appropriated for expansion of the Conservation area. He noted that the steep areas are shown on the map in brown, and the flat areas are shown in green.

Mr. Zwally noted that Continental Drive is designed to have a northern loop that would eventually loop to the south to join with the existing roadway in Susquehanna Township. He noted that there is flexibility for development, with single-family dwellings located north of Continental Drive, and the Retirement-Residential development located south of Continental Drive to include some mixture of single-family dwellings also.

Mr. Zwally noted that Union Deposit Corporation has made a commitment to the Board of Supervisors that the placement of Continental Drive will be with the consultation of the Board of Supervisors, prior to developing final plans.

Mr. Zwally noted that the strip of Agricultural-Residential (A-R) is a fairly narrow strip and very restrictive in terms of future development. He noted that the Planning Commission reviewed and approved the plan, noting that the narrow strip of A-R was not feasible to develop.

Mr. Zwally urged the adoption of the zoning amendment by the Board of Supervisors.

Mr. Matt Dankman, 4075 Deer Run Court, noted that the area of the Sportsman's Golf Course, specifically, hole number five, has a wooded area, and he questioned if the wooded area would be removed. Mr. Zwally answered that he did not know since he does not know what would be developed. He noted that those decisions would be made during the preliminary subdivision and land development plans, which would have to come before the Planning Commission and the Board of Supervisors.

Mr. Dankman noted that he spoke with someone from the Department of Conservation and Natural Resources (DCNR) regarding water run-off issues, and noted that he requested that the area south of Continental Drive, in the residential-retirement area, provide for water run-off issues when the brush and trees are removed for the Forest Hills area.

Mr. Dankman noted that a new Giant Foods Store is proposed in the area of the old Vartan Building, and he questioned if a traffic study would be completed since Linglestown Road is already over congested. He noted that there are traffic issues with Linglestown Road, noting the current population, especially from 4 p.m. to 6 p.m. He questioned what would happen when the area's population is increased from 2,000 to 3,000 people.

Mr. Randell Holmes, 4107 Continental Drive, noted that he owns two properties on Linglestown Road, one of which abuts the entrance to the Sportsman's Golf course. He noted

that he has expressed his concerns to Mr. Mahoney and Mr. Zwally previously, and that he has previously appeared before the Board to discuss Continental Drive. He explained that the rezoning is a result of the changes to the Comprehensive Plan and he is concerned as to how it would impact his community. He noted that Mr. Zwally would be permitted to construct a 75-foot building for elderly housing adjacent to the single-family homes. He suggested that the ordinance should read that there are setbacks of one foot for every height of foot. He noted that he would like to schedule meetings, with the developer, before the preliminary plan is proposed, to discuss traffic calming measures, similar to those used in the Estates of Forest Hills. He noted that he would not want to see Continental Drive become a highway or a bypass to Linglestown Road. He noted that he is not at all opposed to the development, but would like to meet with Mr. Zwally, as a courtesy to the adjoining residents.

Mr. Holmes questioned what is the net increase in density of units by eliminating the A-R zoning and increasing the Institutional zoning. Mr. Seeds noted that it would be increased from one unit per 1.5 acre to 12 units per acre. Mr. Zwally noted that part of that area would be rezoned to Conservation, so that must also be considered. Mr. Holmes noted that the people who live in the area are very sensitive to what happens to Continental Drive, and they want to be part of the discussion.

Mr. Holmes noted that if a 60-foot building is built on the property, the ordinance does not limit where it could be built, and the applicant has the right to place such a building next to single-family dwellings. He suggested that that is not good planning. He noted that the residents are not against the property being developed and suggested that Mr. Zwally and his client would do a good job in developing the land.

Mr. Crissman noted that Mr. Zwally made a commitment on behalf of the developer that he will meet with the local residents as they put their plan together. Mr. Zwally noted that he

made that commitment to the residents. He noted that the landowner has also made that commitment as well. Mr. Crissman noted that this type of arrangement has worked well in the past. Mr. Holmes suggested that the Estates of Forest Hills is probably the most successful development on both sides of the Susquehanna River built in the past five years for a single-family development. He suggested that it is an excellent model for developing other areas. He noted, if the plan recognizes the single-family nature of the area, and logically converts to some other type of more intensive development; no one would quibble with it. He noted that he would like to be kept informed of the process.

Mr. Seeds agreed that the Forest Hills Development was very well done, but it all depends on the developer. He noted that the problem is that the zoning goes with the land and not the developer. He noted that ownership of the land could change tomorrow. Mr. Holmes noted that a zoning change would leave the cat out of the bag, and before you know it, a plan could be approved that everyone is upset with.

Mr. Hawk noted that the concern for Continental Drive has been a concern by all the Board members, and it would be considered in discussions held with the developer.

Mr. Hornung noted that he agreed with Mr. Crissman, and explained that the Board has a reputation of encouraging developer and community supported plans. He suggested that the citizens would have a lot of input on how the plan progresses through the process, and he noted that the developer is highly encouraged to meet with the local residents.

Mr. Samuel Cooper, 4078 Roswell Court, noted that he lives in a cul-de-sac that abuts the property in question. He questioned Mr. Zwally how many units could be built in the area if the zoning change occurred. Mr. Zwally answered that he has not calculated the total number of units since the plans are not even in a sketch concept. He noted that a schematic plan, with no high rise buildings was presented to the Board, but that is subject to change. He noted that the

development will definitely be a mix of retirement-residential and single-family residential. He noted that under the ordinance provisions, the 12-unit density is no longer applicable, and would be reduced to eight units or six units.

Mr. Cooper questioned what type of dwellings would be allowed. Mr. Zwally answered that townhouses, duplexes, and single-family homes would be allowed. Mr. Seeds noted that the Board of Supervisors has no idea what is planned since it has not reviewed a land development plan. He noted that the zoning would permit up to 12 units per acre, whereas, the A-R zoning permitted 1.5 units per acre. He noted that the potential is close to 500 units, versus 60 units for the 41 acres that Mr. Zwally has asked to rezone. He noted that it would make quite a difference.

Mr. Cooper noted that various types of housing would be permitted as opposed to what is allowed in the adjacent properties. He questioned if any other uses would be permitted. Mr. Zwally answered that most of the property is already zoned Institutional, therefore it allows standard institutional uses plus the residential-retirement use. Mr. Seeds noted that the zoning would permit hospitals, school, medical facilities, and parks.

Mr. Cooper questioned if there was a requirement for open space in this zone, including parks and recreation areas. Mr. Zwally noted that there is a requirement for these uses in the ordinance.

Mr. Timothy Ritty, 2409 Melbourne Drive, noted that he only learned of the project recently. He noted that he is greatly concerned by this development due to ambiguity of the developer's plan. He questioned if the ambiguity is a concern of the Board of Supervisors and if there were a mechanism to see a better defined plan before the zoning is changed. He questioned how the high density housing could be avoided, since he would not want to see this type of development built. He questioned at what stage the residents would fight the development. Mr. Zwally noted that Mr. Seeds provided the worst case scenario by taking the maximum density

and multiplying it times the acreage. He noted that those who are aware of what is required of the ordinance know that it is not possible or feasible. He noted that no plans are required at the zoning stage, since it is based upon general land use considerations. He noted that the reason for the request for rezoning is due to the narrowness of the A-R District, and the lack of feasibility of developing that land. He noted that the Comprehensive Plan was based upon topological information. He explained that once the rezoning is granted, then there would be requirements for the subdivision and land development plans which must be satisfied. He noted that, given the requirements of the ordinance, there is no way that a development could be built with 12 units per acre for this site. He noted that there are slope restrictions and many other restrictions for setback and other requirements. He noted that these restrictions are built in the ordinance for the protection of existing residents.

Mr. Ritty noted that he is a research biologist and explained that he does not know much about zoning laws but, he would think that this development would have an adverse affect on his neighborhood for the traffic flow. He noted that the traffic on Linglestown Road is very heavily congested already, and this development would add to it, and affect the quality of life negatively.

Mr. Charles Sproule, 4045 Greystone Drive, explained that he lives in the Stone Gate Condominium Association that is adjacent to the property that is under consideration for a zoning change. He noted that he and the other 33 residents of the Stone Gate Condominium Association would like to be included in the discussions with Mr. Zwally. Mr. Zwally noted that he was aware of the Association.

Mr. Samuel Cooper stated that he was a solicitor for Susquehanna Township and to their Planning Commission for ten years, and has dealt with many similar requests. He noted, if the Board decides to change the zoning at the meeting, the remedy for a disgruntled resident would be to go to court. He noted that the subdivision and land development plan must be submitted to

the Township for approval, and a developer has the right to request a wavier from the requirements by special exceptions or variances. He noted that the Township would decide if it wished to uphold the requirements of the ordinances, noting that the requirements could be waived at any time.

Ms. Jill Siddall, 2415 West Bayberry Drive, questioned where the developer would get the public water for the homes. She noted that she has lived in the Forest Hills Development for over 19 years, and before she came to the meeting the water pressure dropped again. She noted that every time there is a problem with the system, they have no water. She noted that she gets her water from the 6<sup>th</sup> Street Station which is an antiquated building. She noted that this development would be in between the water plant and her development. She questioned what would happen to her water pressure. Mr. Stine questioned if she had United Water PA as her water provider. Ms. Siddall stated that she does, but if there is a problem in the system, she ends up with no water. She noted that the weekend after Thanksgiving, United Water PA normally shuts down a pump to save money, and when everyone is home, she hardly has any water pressure. She noted that when United Water PA receives enough complaints, then they turn the pump back on.

Mr. Seeds noted that there is a development proposed for the Patton Road area, and United Water PA is talking about installing a water tank up the mountain. He suggested that it may help Ms. Siddall's situation. He noted that he was not aware that there was a water pressure problem in Forest Hills. Ms. Siddall noted that all the lots on the north side of Continental Drive are fed by a well. She explained that two years ago, she had no water for two days.

A gentleman noted that he lives on Cameron Court and for two to three days a month he has no water pressure at all. He noted that he was told by United Water PA that the 6<sup>th</sup> Street Plant that is responsible to supply the Forest Hills development with water needs two additional

substation auxiliary pumps to get the water from his home to north of Continental Drive. He noted that he doesn't have enough pressure to have water all the time, and there is a need to ensure that there would be enough water for the 2,000 people who live there. He noted if United Water PA can't supply the water now, how they would be able to do it with the additional homes.

Dr. Mark Guise, 2336 Forest Hills Drive, noted that he is a practicing veterinarian, and has an animal clinic. He noted that he had a concern for the deer herd that runs through the Forest Hills area. He noted that he is strongly opposed to the rezoning of the land that is adjacent to the Sportsman's Golf Course near Forest Hills Drive. He noted that the current situation is one of a balanced eco-system. He noted to overly develop the area would negatively impact the system. He noted that in Connecticut, over-development has led to the rise of Lyme's disease in humans and other species. He noted that researchers are noticing an impact to other eco-systems, such as the agriculture and non-agricultural systems.

Dr. Guise noted that an erroneous statement was made at the Planning Commission meeting. He noted that the areas in question, north of Continental Drive, and all points north, were stated to be a flat surface. He stated that this is not true, as this begins the greatest change in slope along that corridor. He noted that rezoning and development of these slopes would create more water run-off than could be adequately handled. He explained that currently, four properties are being impact by one situation of improperly deposited fill with little to no water retention devices. He noted that this has changed the water flow off the mountain in both an easterly and westerly direction. He noted that, for these reasons, he would request the Board of Supervisors to cast a no vote for the rezoning.

Joyce Fenstermacher, 4427 Avon Drive, explained that she was the first realtor in Forest Hills and lived there from 1977 until 1991. She noted that she did not sell homes on Continental

Drive because she knew that it was planned to go from Colonial Road to Crums Mill Road, but she explained that the Planning Commission decided against that. She noted that she is concerned about traffic. She noted that the traffic on Linglestown Road is terrible and that is PENNDOT's fault. She noted that Susquehanna Township has gotten PENNDOT to widen their roads to three and four lanes. She requested the Township to contact PENNDOT and ask them if they could extend Linglestown Road to four lanes instead of three lanes.

Mr. Stine noted that since there were no more public comments, it would be in order to close the public hearing on Ordinance 2007-14, and the Board may take action if it so desires.

Mr. Hawk noted that, in addition to the comments made by the public, he noted that there are also comments made by the Dauphin County Planning Commission. He noted that the Dauphin County Planning Commission supported the rezoning request, but emphasized that there would be an increase in traffic in the area due to the higher density.

Mr. Crissman noted that, in addition to Dauphin County's comments, the Planning Commission reviewed the plan on October 10, 2007 and recommended approval of the application.

Mr. Hornung noted that he had a concern with the passing of Ordinance 07-01, as the Ordinance made significant changes to the Institutional zoning. He noted that he would like to discuss this at the next workshop meeting to make an amendment to the numbers contained in that ordinance. He noted that he would like to do that prior to making a change in the zoning since he had some concerns with having the Institutional zoning next to a residential zoning. He noted that there would need to be significant buffering between the two zones. He noted that the buffering should be added to the Ordinance, prior to the rezoning of the property.

Mr. Seeds noted that Mr. Hawk cited that the Dauphin County Planning Commission did recommend approval, but when you read between the lines, what they were saying is that the cat

is already out of the bag. He noted that the Board was in error in rezoning the land that was already rezoned Institutional. He noted that in light of the density and traffic issues, it was a mistake. He noted that the 2004 Comprehensive Plan called for this area to remain low density, and now it is zoned Institutional that allows high density development.

Mr. Seeds noted that he has the highest regards for Mr. Zwally, and his clients, Mr. Mahoney and Mr. Boyd. He noted that they have donated much to the community and Pennsylvania with the Boyd Big Tree Conservancy. He noted that his remarks have to do with density and traffic on Linglestown Road. He noted that he does not want to see four lanes on Linglestown Road and he is very concerned with the new Giant store to be built on Linglestown Road.

Mr. Seeds noted that he has not walked the land, and if the land has steep slopes, then it should be rezoned to Conservation, all of it. He noted that it would alleviate the density that would occur on the lower area that is already zoned Institutional. He noted if the Board allows 41 more acres to become Institutional, there is the potential to have 500 more units on that land. He noted that there are 52 acres involved in the rezoning, and 41 would become Institutional, with 11 rezoned to Conservation. He noted that this request is a movement backwards, and if there is a motion to approve the rezoning, he would vote against it.

Mr. Blain noted that Union Deposit Corporation is an audit client of the Company that he works for, and he is an active manager for them and he would abstain from voting on this issue.

Mr. Crissman noted he agreed with Mr. Hornung and he would like to discuss the zoning amendment further before taking action on this plan. Mr. Hornung noted that he would not necessarily turn down the rezoning request, but he needs to investigate it further, and define the Institutional zone more before he would vote to rezone the land.

Mr. Hornung questioned if it would be more proper to table the action. Mr. Stine noted that the Board could table the consideration, but the Board has to take action to grant the rezoning within 60-days, otherwise, it would have to go back to a public hearing. Mr. Hawk questioned if it would be better to take no action at all. Mr. Stine note that the applicant would need to make another request to the Planning Commission and another public hearing would need to be held. Mr. Seeds questioned what would happen if the Board would table action. Mr. Stine stated that a decision must be made within 60 days of the public hearing.

Mr. Hornung questioned if the rezoning was approved, and the Zoning Ordinance was amended, would the zoning requirements be under the current zoning or amended zoning. Mr. Stine answered that that the zoning requirements would be affective from the date of the submission of the preliminary plan.

Mr. Crissman suggested that it would be in the best interest to table the agenda item because it forces the Board members to address the issue as opposed to passing it aside and then delaying the developer. Mr. Stine noted that is does make sense. Mr. Crissman made a motion to table Ordinance 2007-14, amending the zoning designation of land commonly known as Sportsmen's Golf Course, changing existing Institutional, Agricultural-Residential, and Conservation Districts to only Institutional and Conservation Districts. Mr. Hornung seconded the motion.

Mr. Hornung noted that the interested parties could participate in the alteration of the Institutional zone as the Board moves through the process. Mr. Hawk noted that the sentiment for those present at the meeting is that the Board would take a more critical look at the Institutional zoning, and he invited people to attend the meeting. A question was asked how the residents would know when the meeting would be held. Mr. Wolfe noted that it would be published on the website. Ms. Wissler stated that you could call the office also. Mr. Hawk noted

that there is a tremendous amount of building going on behind the current location for the Giant Store in Susquehanna Township. Mr. Crissman noted that the traffic is very difficult on Linglestown Road, especially since the new high school is located on that road. He noted that there are only two major north/south corridors in Lower Paxton Township off of Linglestown Road, Mountain Road, Colonial Road, and Progress Avenue in Susquehanna Township.

Mr. Hawk called for a roll call vote: Mr. Blain, abstain; Mr. Crissman, aye; Mr. Hornung, aye; Mr. Seeds, aye; and Mr. Hawk, aye.

Mr. Cooper questioned if the motion to table is technically to table sometime later in the same meeting, and he suggested that a motion to postpone is more proper, to note that action would be taken at some future time. Mr. Stine responded that the Board of Supervisors have never adopted the Roberts Rule of Order as its official rules to run the meetings, therefore, a tabling is whatever the Board chooses it to be.

Resolution 07-48; amending the scope of work for expenditure of funds under the Township's General Obligation Bonds of 2002

Mr. Wolfe explained that this resolution allows the Township to use 2002 bond funds to perform work in the Asylum Run Sanitary Sewer mini-basin. He noted that the Asylum Run Basin is scheduled for rehabilitation at a cost of \$3.5 million. He noted that project is not currently eligible for bond funds, however, if the Board adopts the Resolution, and the Authority takes similar action at their meeting on November 27, 2007, then the bond funds could be applied to the Asylum Run Mini-Basin as well as certain Paxton Creek projects.

Mr. Seeds questioned if this was as a result of discussions held in the budget meetings to determine if funds could be used for the Asylum Run Sanitary Sewer Mini-Basin. Mr. Wolfe answered yes. Mr. Seeds questioned if Mr. Tom Smida, bond counsel, agreed that this would be a permitted use for the bond funds. Mr. Wolfe answered yes. Mr. Seeds questioned if Mr. Smida would prepare a letter voicing his opinion. Mr. Wolfe explained that Mr. Smida would be

attending the November 27, 2007 Authority Meeting. Mr. Seeds questioned if Mr. Smida was of the opinion that the funds could be used for the Asylum Run Sanitary Sewer mini-basin. Mr. Wolfe answered yes.

Mr. Crissman made a motion to approve Resolution 2007-48, amending the scope of work for the expenditure of funds under the Township's General Obligation Bonds of 2002. Mr. Blain seconded the motion. Mr. Hawk called for a roll call vote: Mr. Blain, aye; Mr. Crissman, aye; Mr. Hornung, aye; Mr. Seeds, aye; and Mr. Hawk, aye.

Change Order #6 with Liberty Excavators, Inc. for work performed at George Park

Mr. Wolfe explained that this change order is the final change order in the amount of \$4,268.00, and was provided to the Township by Liberty Excavators for work performed at the Thomas B. George Jr. Park. He noted that it is staff's and Township Engineer's recommendation to authorize the change order.

Mr. Blain questioned if detail was provided for the sums that they were affected by the change order. Mr. Wolfe noted that the amount was \$4,268.00. Mr. Blain questioned if the detail exhibited as to how much was payroll, profit, etc. Mr. Wolfe noted that the entire amount was for insurance funding.

Mr. Seeds questioned if this change order was for general construction, such as dirt moving. Mr. Wolfe answered that it was, and explained that when Liberty Excavators was awarded the job, it extended far beyond what they had expected due to the PENNDOT Highway Occupancy Permit issues that still have yet to be resolved for Nyes Road. He noted that during that period of time, even though they were not working, they had to carry a performance bond, and they are requesting reimbursement. Mr. Seeds questioned if this was due to no fault of Liberty Excavators or the Township. Mr. Wolfe noted that that was correct, and was the result of delays in utility work.

Mr. Crissman questioned if it was for the extension of the owner's liability. Mr. Wolfe answered that it was for the performance bond extension.

Mr. Crissman made a motion to approve Change Order #6 to Liberty Excavators in the amount of \$4,268.00. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote, and a unanimous voted followed.

Right-of-Way Agreement with the Township and PPL to provide electric service to the Cellular tower to be constructed at the Public Works facility at 5975 Locust Lane

Mr. Wolfe explained that this agreement provides for PPL to provide electric service to the Cellular tower to be constructed at the Public Works facility at 5975 Locust Lane.

Mr. Seeds questioned if all this work would be underground. Mr. Wolfe answered that this work would be overhead, except for the portion that cuts through the parking lot. Mr. Seeds questioned if it would cause any difficulty, in the future, for the Township to further expand the site. Mr. Wolfe noted that the Township must allow PPL to provide power, or they won't build the Cellular tower. He noted that it would take up a portion of the Township property, and staff is aware of the location and does not feel that it would be an insurmountable problem. He noted that the power line and tower would provide some limitations for expansion in the future.

Mr. Blain made a motion to approve the right-of-way agreement with the Township and PPL to provide electric service to the Cellular tower to be constructed at the Public Works facility at 5975 Locust Lane. Mr. Crissman seconded the motion. Mr. Hawk called for a voice vote, and a unanimous voted followed.

2008 Municipal Planning Advisory Service Agreement between the Township and the Dauphin County Planning Commission

Mr. Hawk noted that this is a standard agreement that the Township enters into with the Dauphin County Planning Commission every year to provide services to the Township.

Mr. Blain made a motion to approve the 2008 Municipal Planning Advisory Service Agreement between the Township and the Dauphin County Planning Commission. Mr. Crissman seconded the motion. Mr. Hawk called for a voice vote, and a unanimous voted followed.

Motion to accept the proposal from Brown, Schultz, Sheridan, and Fritz to audit the accounts of the Township for the 2007 fiscal year and to authorize the advertisement of a resolution appointing this firm as the official auditor of the Township of said fiscal year

Mr. Wolfe explained that the cost for services to be provided by Brown, Shultz, Sheridan, and Fritz to audit the accounts for the Township for the 2007 fiscal year are estimated as follows: for the Township it would cost \$23,000 that would include a fee of \$2,800 for the Friendship Center, and for the Township Authority, the cost would be \$12,000. Mr. Seeds questioned if the fee was higher than last year's fee. Mr. Blain noted that it was a 5% increase, but considering the new auditing standards that have been implemented, the 5% increase is very reasonable.

Mr. Wolfe noted that the Audit Committee has reviewed the proposal and recommends that the Supervisors authorize the fees.

Mr. Blain made a motion to accept the proposal from Brown, Schultz, Sheridan, and Fritz to audit the accounts of the Township for the 2007 fiscal year, in the amount of \$23,000 for the Township to include the Friendship Center, and \$12,000 for the Lower Paxton Township Authority, and to authorize the advertisement of a resolution appointing this firm as the official auditor of the Township of said fiscal year. Mr. Crissman seconded the motion. Mr. Hawk called for a voice vote, and a unanimous voted followed.

Preliminary subdivision plan for Locust Grove Development, Section L

Ms. Wissler explained that this plan was tabled by the Planning Commission on September 9, 1998, due to the comments generated by Township staff. She explained that the

Township has not received a time extension from the developer, therefore, she requests that the Board members act on the denial for the plan.

Mr. Seeds questioned if this plan was recently submitted to the Township. Ms. Wissler answered that this plan was submitted in 1998. Mr. Seeds suggested that there was a recent subdivision plan submitted for this land, suggesting that the developer has gone in a different direction. Ms. Wissler noted that staff has reviewed the plans for the land several times, noting that the developer has attempted to get a sewer easement from the adjoining property, but she stated that she did not recall seeing another plan for this property.

Mr. Crissman questioned if the property owner desires a time extension. Ms. Wissler explained that she spoke to the developer today and told them to come to the meeting if they wished to speak regarding the denial, and no one is present for the plan to make any comments.

Mr. Blain made a motion to deny the preliminary subdivision plan for Locust Grove Development Section L. Mr. Crissman seconded the motion. Mr. Hawk called for a voice vote, and a unanimous voted followed

Resolution 07-49 acceptance of the dedication of streets in Quail Hollow, Phase III

Ms. Wissler noted that this resolution authorizes the acceptance of parts of Thicket Lane, Brooke Lane, and Scott Meadow Court, that is located in Phase III of the Quail Hollow development. She noted in August, 2007, she drew on the escrow account with Commerce Bank, and staff is requesting that the roads be approved for dedication, and that the Township use those escrow funds to complete the outstanding public improvements for those three streets.

Mr. Crissman made a motion to accept Resolution 07-49, accepting the dedication of the three listed streets in Quail Hollow, Phase III. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote, and a unanimous voted followed.

## **IMPROVEMENT GUARANTEES**

Mr. Hawk noted that there were two improvement guarantees for consideration.

### The Townes at Autumn View

A reduction in a letter of credit with M & T Bank in the amount of \$40,103.25 with an expiration date of June 18, 2008.

### Wyndhurst Manor, Phase 3

A new bond with Developers Surety and Indemnity Company in the amount of \$594,500.00 with an expiration date of July 17, 2008.

Mr. Crissman made a motion to accept the two improvement guarantees as presented. Mr. Blain seconded the motion, and the motion carried unanimously.

## **Payment of Bills**

Mr. Seeds made a motion to pay the bills of Lower Paxton Township and Lower Paxton Township Authority. Mr. Blain seconded the motion, and a unanimous vote followed.

## **Adjournment**

There being no further business, Mr. Blain made a motion to adjourn the meeting. Mr. Crissman seconded the motion, and the meeting adjourned at 9: 15 p.m.

Respectfully submitted,

Maureen Heberle  
Recording Secretary

Approved by,

Gary A. Crissman  
Township Secretary